(53)

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 4840 of 2007

PETITIONER A.R. Tirkey, S/o.- Shri L. Tirkey, Aged about 33 years, Presently working as Accounts Officer, Project Implementation Unit No.1, Pradhan Mantri Sadak Yajana, Bilaspur, District- Bilaspur (C.G)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through- Secretary, Government of Chhattisgarh, Department of Finance, D.K.S. Bhawan, Mantralaya, Raipur (Chhattisgarh)
2. The Secretary, Government of Chhattisgarh, Department of Panchayat & Rural Development, D.K.S. Bhawan, Mantralaya, Raipur (Chhattisgarh).
3. The Chief Executive Officer, Chhattisgarh Rural Road Development Abhikaran, Civil Lines, Raipur (C.G.)
4. Director, Treasury, Account and Pension, Raipur, Distt. Raipur, Chhattisgarh.

Writ Petition under Article 226 of the Constitution of India

Appearance:

Shri Pankaj Shrivastava, counsel for the petitioner.

Ms. Deepali Pandey, Panel Lawyer for the State/respondents.

ORAL ORDER

(20.08.2007)

SUNIL KUMAR SINHA, J,

Heard on admission.

Learned counsel for the petitioner submits that the petitioner, who was working as an Assistant Account Officer in the Office of Divisional Joint Director, Treasury Account & Pension, Bilaspur, has been transferred as Account Officer in *Pariyozna Kriyanvayan Eikai Kramank-1, Pradhanmantri Gram Sadak Yojna*, Bilaspur and his services have been handed over to Panchayat and Rural Development Department. He also submits that in pursuance of the said order, the petitioner had joined on 8.11.2006 (Annexure-P/4) but no work is being

allotted to the petitioner on account of non-availability of the post at the transferred place because one Mr. J.P. Jaiswal is already working at the said place. Learned counsel further submits that the post itself was not sanctioned by the State Government at the transferred place. He submits that necessary directions be issued to the State Government either to properly accommodate the petitioner or to make a sanction of the post or to provide some job to the petitioner according to his cadre-character or in the alternative to cancel the initial order of transfer of the petitioner.

Having heard the learned counsel for the petitioner as also the State, having considered the facts and circumstances of the case, particularly after going through the memo dated 7.11.2006 (Annexure-P/5), in the opinion of this Court, ends of justice would be served, if the petitioner is directed to file a detailed representation before the concerned authority and the said authority is directed to dispose of the same within the stipulated time granted by this Court.

Accordingly, this petition is disposed of with a direction that if so advised, the petitioner may file a detailed representation within a period of 3 weeks from today along with copy of this order, copy of writ petition and document annexed with the writ petition before the concerned authority and if such a representation is filed, the same shall be disposed of by the said authority at the earliest considering the grounds raised by the petitioner and the contents of Annexure-P/5.

With aforesaid directions/observations, the petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

vatti